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June 16, 2008

Via Fax No. (914) 390-4179

Honorable Stephen C. Robinson  
 United States District Court  
 Southern District of New York  
 300 Quarropas Street, Room 633  
 White Plains, NY 10601

Re: Ortiz v. Hasbro, Inc., et al.  
 Case No.: 08-CV-2379 (SCR)  
 Our File: 14180-05309

MEMO ENDORSED

Your Honor:

We represent defendants Hasbro and Costco in this action. We have attempted all afternoon to electronically file our motion to dismiss plaintiffs' punitive damages claims but the ECF system has not allowed us to do so. I spoke with Dan Davanzo at the ECF help desk but he could not figure out the problem. We are therefore faxing our motion papers to the plaintiffs' counsel via this fax and respectfully request that Your Honor allow us to file our motion papers with the Clerk of the Court along with a courtesy copy to Your Honor.

Respectfully Submitted,

*Jeffrey J. Imeri*  
 Jeffrey J. Imeri

JJ:mbb

cc: Via Fax No. (718) 464-0034

Yovendra Mangal, Esq.  
 Del Carmen & Mangal, P.C.  
 87-87 Francis Lewis Boulevard, 2<sup>nd</sup> Fl.  
 Queens Village, NY 11427  
 (With enclosed motion papers)

APPLICATION GRANTED

*Stephen C. Robinson*

HON. STEPHEN C. ROBINSON

6/19/08

